

App. No: 09/164,862

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REMARKSStatus of the Claims.

Claims 1-18, 38, 39, 47, 49-51, and 54-67 are pending with entry of this amendment, no claims 19-37, 40-46, 48, and 50-55 being canceled and new claims 63-67 being previously added. Claim 47 is amended herein. This amendment introduces no new matter. Support is found, for example, at page 59, lines 6-7.

Interview with the Examiner.

Applicants note with appreciation the telephone interview with Examiner Ungar on March 29, 2005. In that interview, Examiner Ungar explained that the language "In a differential diagnosis. . .", previously introduced into claim 47, would require a new search and therefore if maintained would be withdrawn from consideration. Accordingly, claim 47 is amended herein to remove this language.

The Examiner also indicated that amendment of claim 47 to recite "serum" and introduction of the language ". . . wherein said elevation is unrelated to known causes of YKL-40 elevation other than cancer. . ." would likely result in allowable subject matter. Accordingly Applicants have amended claims 47 to introduce this language.

In addition, dependent claims 50, 51, 54, and 55 have been canceled.

In view of the foregoing, Applicants believe all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. Should the Examiner seek to maintain the rejections, Applicants request a telephone interview with the Examiner. If a telephone conference would expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (510) 769-3513.

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